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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2015 JUN 23 PM 3:34

DEPUTY CLERK

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DAVID ANDREW SCHMIDT,

Petitioner,

v.

2:15-CV-0078

WILLIAM STEPHENS, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION,**  
**GRANTING RESPONDENT'S MOTION TO DISMISS**  
**and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On June 1, 2015, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the motion to dismiss filed by respondent be granted, and the instant habeas application be dismissed as time-barred. On June 11, 2015, petitioner filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are hereby OVERRULED, the Magistrate Judge's Report and Recommendation is ADOPTED, and respondent's motion to dismiss is GRANTED. Accordingly, the petition for a writ of habeas corpus is DISMISSED.

IT IS SO ORDERED.

ENTERED this 23rd day of June 2015.

  
MARY LOU ROBINSON

UNITED STATES DISTRICT JUDGE